
DELEGATION OF AUTHORITY – CERCLA

14-12. Civil Judicial Enforcement Actions, Including Collection Actions

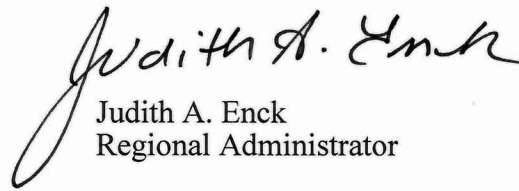
1. PURPOSE: This Order redelegates certain authorities conferred on the regional administrator by Delegation 14-12 of the EPA Delegations Manual.
2. AUTHORITY:
 - a. To request the Attorney General to appear and represent the U.S. Environmental Protection Agency in any civil enforcement action and to intervene in any civil enforcement action instituted under the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, including civil judicial collection actions.
 - b. To request the AG to decline to prosecute a previously referred civil judicial action or cease prosecution of a previously filed civil enforcement action.
3. TO WHOM REDELEGATED: The regional counsel.
4. LIMITATIONS:
 - a. The RC must notify the assistant administrator for the Office of Enforcement and Compliance Assurance prior to exercising the authority in 2.b. and when exercising the authority in 2.a. unless the OECA AA has waived the requirement for notification in writing.
 - b. The RC must obtain the concurrence of the director of ERRD or his/her designee prior to exercising the authorities in 2.a. and 2.b.
5. FURTHER REDELEGATION:
 - a. This authority may not be further redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
6. ADDITIONAL REFERENCES:
 - a. Memorandum of Understanding between the Agency and the Department of Justice, June 1977, 42 Fed. Reg. 48,942 (1977).
 - b. Sections 104, 106, 107, 109, and 122 of CERCLA.

ORDER

R-1200

c. Delegation 14-13C, "Emergency TROs," and the regional redelegation of that authority.

7. SUPERSESSION: This redelegation supersedes Regional Order R-1200 (redelegation of 14-12) dated November 23, 2004.



Judith A. Enck
Regional Administrator